

Exhibit A

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

STATE OF TEXAS, ET AL

VS.

UNITED STATES OF AMERICA, ET AL

)
)
)
) CIVIL ACTION NO.
) B-14-254
)
)
)

PRELIMINARY INJUNCTION HEARING
BEFORE THE HONORABLE ANDREW S. HANEN
JANUARY 15, 2015

APPEARANCES:

For the Plaintiffs:

MR. ANDREW STEPHEN OLDHAM
MR. ADAM NICHOLAS BITTER
MS. ANGELA V. COLMENERO
MR. ARTHUR D'ANDREA
MR. JONATHAN F. MITCHELL
Texas Attorney General's Office
P.O. Box 12548
Austin, Texas 78711

For the Defendants:

MS. KATHLEEN R. HARTNETT
MS. KYLE R. FREENY
US Department of Justice
Civil Division
950 Pennsylvania Avenue
Washington, D.C. 20530

For the Defendants:

MR. DANIEL DAVID HU
U.S. Attorneys Office
Houston, TX

Transcribed by:

BARBARA BARNARD
Official Court Reporter
600 E. Harrison, Box 301
Brownsville, Texas 78520
(956) 548-2591

1 filed that would be Tennessee specific.

2 THE COURT: All right. Why don't you file a
3 supplemental complaint so you don't have to amend your whole
4 complaint and just add Tennessee. If you'll do that by next
5 Friday, the 23rd. And then if the government, if you feel any
6 need to add anything to your answer, you can have until the next
7 Friday, the 30th. I mean, I don't see this as being -- unless
8 you're going to tell me that there's something different about
9 Tennessee. I mean, the way I look at it, you know, they either
10 just hitched a ride on the, you know, Queen Elizabeth or the
11 Titanic, depending on how I rule.

12 But, you know, as far as you know, Mr. Oldham, they don't
13 have anything unique or unusual about their position?

14 MR. OLDHAM: As I -- as I stand here today, I'm unaware
15 that they would have anything in addition to the three bases
16 we've heard.

17 THE COURT: All right. If something comes up then,
18 let's -- we'll revisit it. But right now if you'll just file a
19 supplemental complaint joining Tennessee by the 23rd, and the
20 government can file a supplemental answer, to the extent they
21 need it, by the 30th.

22 MR. OLDHAM: Yes, Your Honor.

23 THE COURT: All right. That takes care of your problem.
24 Now let's talk about yours.

25 MS. HARTNETT: Okay.

1 THE COURT: I'm a little concerned about how much time
2 you asked for. If I give you until the 28th, can you work with
3 that?

4 MS. HARTNETT: Let me confer with my co-counsel, but I
5 believe so.

6 Your Honor, in part we're just discussing about the need to
7 respond to some of the voluminous factual material. If we could
8 have until the 30th, that Friday, that would be preferable.

9 THE COURT: Okay. And then what is the -- I guess to
10 preempt Mr. Oldham when I ask him does he have any problem with
11 that, he's going to want to know what's happening when?

12 MS. HARTNETT: And we set this -- we did file yesterday
13 afternoon, Your Honor.

14 THE COURT: I can't find it.

15 MS. HARTNETT: My apologies.

16 THE COURT: No, no. It's here. I just buried it with
17 all my paper.

18 MS. HARTNETT: In that document we reiterated that no
19 applications for the revised DACA -- this is not even DAPA --
20 revised DACA would be accepted until the 18th of February, and
21 that no action would be taken on any of those applications until
22 March the 4th.

23 THE COURT: And nothing is happening on DAPA?

24 MS. HARTNETT: So the memorandum said that DAPA should
25 be implemented no sooner than mid May, so DACA is really the

1 first -- the revised DACA is the first deadline.

2 THE COURT: Okay. Then you can have until the 30th.

3 MS. HARTNETT: Okay. Thank you.

4 THE COURT: Wait, wait. You're being flagged.

5 MS. HARTNETT: Oh, sorry. Just to be clear, I meant no
6 later than. So the memorandum provides that by mid May, DAPA
7 will be stood up.

8 THE COURT: Okay.

9 MS. HARTNETT: But the main -- the driver here would
10 be --

11 THE COURT: But as far as you know, nothing is going to
12 happen in the next three weeks?

13 MS. HARTNETT: No, Your Honor.

14 THE COURT: Okay. On either.

15 MS. HARTNETT: In terms of accepting applications or
16 granting any up or down applications.

17 THE COURT: Okay.

18 MS. HARTNETT: For revised DACA, just to be totally
19 clear.

20 THE COURT: All right. Let me talk about ruling on
21 this. I'm going to rule as soon as I can. Now, that's -- I
22 guess every judge says that, but both y'all know I have a
23 substantial criminal docket. And both of you, if you didn't
24 know before, you know now that we're one judge short down here.
25 So we're awaiting confirmation hopefully of some help coming,

1 (Court adjourned.)

2 * * *

3 (End of requested transcript)

4 -oOo-

5 I certify that the foregoing is a correct transcript from
6 the record of proceedings in the above matter.

7
8 Date: January 20, 2015

9
10
11 /s/_____
Signature of Court Reporter
Barbara Barnard
12
13
14
15
16
17
18
19
20
21
22
23
24
25